

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ORIX FINANCIAL SERVICES, INC.,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:05-cv-1233-MEF
	)	
EARNEST CHAPMAN, individually	)	
and d/b/a Earnest Chapman Logging,	)	
	)	
Defendant.	)	

**ORDER**

The Defendant, Earnest Chapman, having filed a Petition in Bankruptcy, it is the ORDER, JUDGMENT, and DECREE of the court:

1. That Defendant, Earnest Chapman, is hereby DISMISSED without prejudice from the above-styled case. Any party has the right to petition to reinstate this action to pursue any claim embraced herein not adjudicated in or discharged by proceedings in the bankruptcy court;
2. That such reinstatement, if and when allowed, will cause the filing date of any claim so reinstated to relate back to the original filing date of this action;
3. That any petition for reinstatement must be filed by a party within 60 days after the bankruptcy court has taken such action that entitles that party to seek reinstatement; and

The Clerk of the Court is DIRECTED to mail a copy of this order to the United States Bankruptcy Court for the Northern District of Alabama.

DONE this the 19<sup>th</sup> day of December, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE